

BE IT RESOLVED that the Town Board of the Town of Ulysses amend the Rules and Procedures for Town Board meetings of the Town of Ulysses per the changes provided by Supervisor Marino, originally at the April 17 Board meeting and in final form by email on May 1, and as discussed at this meeting.

TOWN OF ULYSSES RULES and PROCEDURES FOR TOWN BOARD MEETINGS

Be it resolved that all rules listed herein are adopted as the Rules of Order for all meetings and types of meetings of the Ulysses Town Board. Questions of Order beyond these Rules are to be resolved by reference to Robert's Rules of Order. These Rules of Order do not and cannot supersede applicable New York State law.

1. MEETINGS - DEFINED AND CALLED

1.1 Regularly Scheduled Meetings of the Board

The Board will meet for the **monthly Business Meeting** at 7:00 PM on the second Tuesday of each month or as otherwise designated at the organizational meeting in January of each year, unless otherwise decided by the Board at a preceding meeting.

Additionally, a **Working Session** of the Board will convene each month as indicated by the Organizational Meeting or as otherwise designated by the Board at a preceding meeting. This is a venue for introducing new themes but other prior business before the Board may also be considered. An informal Agenda is required stating topics to be discussed. The Board may table business at the Regular Board Meeting and elect to resolve it at a Working Meeting.

Meetings will be conducted in the Town Hall whenever possible. The location of any meetings that will not held at the Town Hall will be included in the public notice for such meeting, or clearly posted at Town Hall as far in advance as possible. The Supervisor shall preside as Chair if present, as per New York State Town Law. In the absence of the Supervisor, a Deputy Supervisor shall preside. In the absence of both the Supervisor and Deputy Supervisor, the Town Board members present, assuming a quorum, shall elect a Chair for the meeting from the Board members present.

1.2 Specially Scheduled Meetings

Special Meetings of the Town Board are all Town Board meetings other than the regular Business Meetings and Working Sessions. A Special Meeting may be called by the Supervisor at any time by giving at least two (2) calendar day written notice to the other members of the Board as to the time and place of the meeting, and shall be called by the Supervisor within 10 days if requested in writing by two members of the Board. Written notice may be by email, text or with written paper notice through the mail or other means. Additionally, the Supervisor shall call an Emergency Special Meeting within five (5)

calendar days if requested in writing by two Town Board members, and with the nature of the emergency described in such request. The Supervisor may call an Emergency Special Meeting on less than 2 day notice and business conducted will be valid as long as all Board members received notice of the meeting and attended the meeting, as per NYS Attorney General and Comptroller opinions.

Public Hearings may be called according to the State or Local Law or Ordinance that applies. Notice shall be published in both the Ithaca Journal and the Trumansburg Free Press whenever possible or as otherwise directed by the Board.

2. MEETINGS – CONDUCTING

2.1. Quorum, Majority, and Super Majority

A majority of the Board shall constitute a quorum for the transaction of business and to adopt any resolution. Majority of the five-member Town Board is three members. There is no proxy voting. A Supermajority shall be four in all cases. The use of 2-way videoconferencing technology as specified by the NYS Open Meetings Law for remote participation by Board members, including voting on public business is allowed.

2.2. Executive Sessions

Executive Sessions shall be held in accordance with the N.Y. Public Officers Law Section 105.11. Executive Sessions may be convened in a Regular or Special Meeting by a majority vote of the Board. The member making a motion shall state the basis for going to Executive Session under the law for Executive Session. Only Board Members and individuals explicitly invited by the Supervisor or a majority of the Board may attend an Executive Session. The motion may also specify what information, if any, will be returned to the regular session. Minutes and records from an Executive Session, if any, will follow applicable law.

2.3. Agendas

An agenda for all meetings shall be adopted by majority vote of the Board at each meeting. For Regular Meetings of the Board, a draft agenda shall be prepared by the Supervisor or her/his designee and distributed to the Board by email or other suitable means by the end of the day on the Friday preceding the meeting. Any Board member or any other elected Town Official may place an item on the draft Agenda by providing a request in writing to the Supervisor at least 6 days before the Regular Meeting.

2.4. Adjournment

A motion to adjourn is not debatable, but the Supervisor may, after such a motion is seconded, describe the nature and consequence of adjourning with any scheduled business left unfinished.

2.5. Questions of Order

The Supervisor may appoint a Parliamentarian to provide advice and guidance to the Supervisor and the Board on matters of procedure. When a Point of Order is raised, the Supervisor may request advice from the Parliamentarian before ruling.

2.6. Seating

Seating at all Board meetings will be as determined by the Chair. In general, it is desirable for Board members to be seated so as to be clearly visible to each other and distinguishable from the public, from other elected and appointed Town officials, and from privileged speakers recognized by the Supervisor. The Board may override the Chair's designated seating by motion, second, and majority vote.

2.7. Public Participation

The back of the agenda shall clearly state an abbreviated version of the meeting guidelines for public participation. An opening statement shall be made in every meeting directing those who are present as to when and how they may participate. All speakers must first be recognized by the Chair. When invited to speak, a member of the public is requested to give their full name and address. In speaking, the public should address the whole Board and not individual public officials or members of the public. Disruptive behavior by anyone in attendance will not be allowed during Board meetings. Such behavior shall include name-calling, swearing, defaming, shouting, or other behaviors found offensive by the Chair, or, by a majority of the Board. Any member of the Board may call the attention of the Chair to a violation of these rules, by calling out "point of order".

In the event of disruptive behavior, a warning shall be given by the Chair. After 2 warnings, the person being disruptive shall be asked to leave. At any time the Chair may address the public on matters having to do with process and decorum. . A statement on appropriate decorum for Town Board meetings shall be posted to the Town's web site.

2.8. Board Process and Decorum

A Board Member wishing to speak shall raise a hand for privilege and shall be recognized by the Chair. Generally a member who has not yet addressed the question shall be given privilege over those who have. Otherwise the Chair shall in general assign order of speaking based on the order in which hands are raised. Members may not speak simultaneously and may not interrupt each other. Unless recognized by the Chair, a Board Member shall not speak, except to raise a point of order, in which case she/he may state "point of order". The Chair may interrupt and stop any member who speaks continuously for more than five (5) minutes. During the discussion of a motion all members of the Board will be allowed up to five (5) minutes per each turn. Board members shall address only the Chair, other Board members, and the privileged speakers without specific authorization from the Chair to address others who are present.

2.9. Participation by other Town Officials and Privileged Speakers

Other elected and appointed Town Officials and Privileged Speakers shall speak only when recognized by the Chair, and only for the period of time set by the Chair. They may raise their hands to indicate a wish to be recognized, but the Chair is under no obligation to recognize them.

3. MOTIONS

3.1. **Motions Defined**

The business of the board shall be conducted as a series of motions and resolutions. A motion is a formal proposal that the Board take certain action. Since the Ulysses Town Board is a small Board that does not have a committee structure to work through motions before they are brought to the full Board, the *motion to discuss* is included here to allow for informal discussion of a proposed action or other topic before it is brought to the floor for formal debate and action. A *motion to discuss* requires a second, but is not debatable and does not require a vote in order to commence discussion. The Chair can call a vote to end discussion of a *motion to discuss* at any time. The discussion that occurs during a *motion to discuss* may result later in a *main motion*.

A *main motion* brings business before the Board that requires a formal action. For example a *main motion* is used to introduce a new law for adoption by the board, to formally make a statement from the board about a particular subject, or to appropriate a sum of money for a specific, non-routine expenditure. A *main motion* can also be referred to as a *resolution*. A *main motion* requires a second in order to be considered by the Board. A Board member may speak any number of times in debate of a *main motion* within the time allotted for the discussion of the question. The Board may extend debate on a *main motion* by motion, second, and majority vote on the question of extending debate.

Robert's Rules describes other motions that can be used and groups them broadly into *subsidiary motions*, *privileged motions*, and *incidental motions*. Motions associated with the routine conduct of monthly business, such as approval of claims or minutes, or to refer business to a committee or advisory board are not considered main motions.

Board members are expected to be familiar with the types of motions as described in Robert's Rules of Order. All motions other than a motion to discuss shall be handled in all aspects according to the procedures in Robert's Rules of Order newly revised (10th ed).

3.2. **Seconds to Motions**

A motion shall not be discussed until it has a Second. A member making a motion may restate it once in seeking a Second, but may not argue for the Second.

3.3. **Voting on Motions**

At the discretion of the Chair, voting upon every question shall be by stating "Aye" or "Nay", by show of hands, or by roll-call vote. The Chair shall immediately state the outcome, which shall be promptly entered into the minutes by the Clerk. Every act, motion, or resolution shall require for its adoption the affirmative vote of a majority of all the members of the Town Board.

3.4. **Presentation of Motions**

Any Board Member, upon recognition by the Chair, may make a motion at any time when there is no other motion on the floor. If the motion fits clearly within an item listed later on the agenda the Chair may rule it out of order with the suggestion that the motion be made again at the more appropriate time.

Ideally, new *main motions* are presented and discussed first at a Working Session. New *main motions* may be adopted at Working Sessions, if provided to all Board Members with the same notice as for a Regular Meeting.

A new *main motion* also may be presented at a Regular Meeting but such *main motion* shall not be voted on at that Regular Meeting unless a written copy of the proposed *main motion* was provided to all Board Members by 5 PM on the Friday preceding the meeting. An exception to this rule is that the Supervisor may present an *emergency motion* to the Board at any Board meeting, provided she or he explains in writing why emergency action is desirable. The Board may adopt such *emergency motion* by majority vote.

In all cases, it is preferred that *main motions* are submitted in writing prior to the meeting.

4. STANDING OF THESE RULES

4.1. Amending Rules of Order

Amendment of these Rules of Order requires a supermajority vote at one meeting. Permanent removal of these Rules requires a Supermajority voting at two Regular Meetings.

4.2 Waiving Rules of Order

These Rules of Order may be temporarily waived in part or in their entirety during any session by a Supermajority. Such waivers stand for only the session when voted. Waivers of these Rules of Order notwithstanding, Roberts Rules of Order remain governing. A Motion to waive these Rules of Order is not debatable.

Adopted 5/8/2012